IN THE HIGH COURT OF JUDICATURE FOR RAJASTHAN
AT JAIPUR BENCH, JAIPUR

O R D E R

S.B. CRIMINAL REVISION PETITION NO. 549/2000

SMT. TARA BAI Vs. STATE OF RAJASTHAN & ANR.

DATE: 24.01.2007.

HON'BLE MR. K.S. RATHORE, J.

Mr. Anil Upman for the petitioner.
Mr. Ashwani Kumar Sharma, PP for the State.

****

This revision petition under Section 397 r/w Section 401 Cr.P.C. is preferred by the petitioner against the judgment dated 23.06.2000 passed by the Additional Chief Judicial Magistrate, Sawai Madhopur in Criminal Case No. 1005/97, whereby the trial Court has acquitted the non-petitioner No.2 Gopal Prasad from the charges of offence under Section 498-A IPC as the prosecution has failed to prove their case against the accused-non-petitioner. Therefore, the benefit of doubt has been extended in favour of the accused-non-petitioner and he has been discharged from the offence under Section 498-A IPC.

I have considered the rival submissions of the respective parties and have also carefully perused the

relevant record as also the evidence recorded by the trial Court.

After appreciating the evidence adduced and the record of the case, no case under Section 498-A is made out against the accused-non-petitioner beyond doubt. Therefore, I find no illegality in the impugned judgment dated 23.06.2000 passed by the Additional Chief Judicial Magistrate, Sawai Madhopur and the same requires no interference whatsoever by this Court.

Consequently, the revision petition fails and the same is hereby dismissed.

Record be sent back forthwith.

(K.S. RATHORE),J.

/KKC/